

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 SENATE JOINT  
4 RESOLUTION 51

By: Stanislawski

5  
6 AS INTRODUCED

7 A Joint Resolution directing the Secretary of State  
8 to refer to the people for their approval or  
9 rejection proposed amendments to Section 31a of  
10 Article VI, Section 8 of Article XIII, Section 2 of  
11 Article XIIIIA and Section 2 of Article XIIIB of the  
12 Oklahoma Constitution; allowing the Legislature to  
13 construct policy for certain institutions of higher  
14 education to protect certain rights of students;  
15 providing ballot title; and directing filing.

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BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE  
2ND SESSION OF THE 56TH OKLAHOMA LEGISLATURE:

SECTION 1. The Secretary of State shall refer to the people for  
their approval or rejection, as and in the manner provided by law,  
the following proposed amendment to Section 31a of Article VI of the  
Oklahoma Constitution to read as follows:

Section 31a. There is hereby created a Board of Regents for the  
Oklahoma Agricultural and Mechanical College and all Agricultural  
and Mechanical Schools and Colleges maintained in whole or in part  
by the State. The Board shall consist of nine (9) members, eight  
(8) members to be appointed by the Governor by and with the advice

1 and consent of the Senate, a majority of whom shall be farmers, and  
2 the ninth member shall be the President of the State Board of  
3 Agriculture. Any vacancy occurring among the appointed members  
4 shall be filled by appointment of the Governor by and with the  
5 advice and consent of the Senate. The members of the Board shall be  
6 removable only for cause as provided by law for the removal of  
7 officers not subject to impeachment. The members shall be appointed  
8 for terms of eight (8) years each, with one term expiring each year,  
9 provided that the members of the first Board shall be appointed for  
10 terms of from one (1) to eight (8) years respectively. Provided  
11 that no State, National or County officer shall ever be appointed as  
12 a member of said Board of Regents until two years after his tenure  
13 as such officer has ceased.

14 The Legislature shall have the authority to construct policy for  
15 institutions that are overseen by the Board of Regents for the  
16 Oklahoma Agricultural and Mechanical College to protect students'  
17 First Amendment and Fourteenth Amendment rights.

18 SECTION 2. The Secretary of State shall refer to the people for  
19 their approval or rejection, as and in the manner provided by law,  
20 the following proposed amendment to Section 8 of Article XIII of the  
21 Oklahoma Constitution to read as follows:

22 Section 8. The government of the University of Oklahoma shall  
23 be vested in a Board of Regents consisting of seven members to be  
24 appointed by the Governor by and with the advice and consent of the

1 Senate. The term of said members shall be for seven years, except  
2 and provided that the appointed members of the Board of Regents in  
3 office at the time of the adoption of this amendment as now provided  
4 by law shall continue in office during the term for which they were  
5 appointed, and thereafter as provided herein.

6 Appointments for filling vacancies occurring on said Board shall  
7 be made by the Governor with advice and consent of the Senate and  
8 said appointments to fill vacancies shall be for the residue of the  
9 term only.

10 Members of the Board of Regents of the University of Oklahoma  
11 shall be subject to removal from office only as provided by law for  
12 the removal of elective officers not liable to impeachment.

13 The Legislature shall have the authority to construct policy for  
14 institutions that are overseen by the Board of Regents of the  
15 University of Oklahoma to protect students' First Amendment and  
16 Fourteenth Amendment rights.

17 SECTION 3. The Secretary of State shall refer to the people for  
18 their approval or rejection, as and in the manner provided by law,  
19 the following proposed amendment to Section 2 of Article XIII A of  
20 the Oklahoma Constitution to read as follows:

21 Section 2. There is hereby established the Oklahoma State  
22 Regents for Higher Education, consisting of nine (9) members, whose  
23 qualifications may be prescribed by law. The Board shall consist of  
24 nine (9) members appointed by the Governor, confirmed by the Senate,

1 and who shall be removable only for cause, as provided by law for  
2 the removal of officers not subject to impeachment. Upon the taking  
3 effect of this Article, the Governor shall appoint the said Regents  
4 for terms of office as follows: one for a term of one year, one for  
5 a term of two years, one for a term of three years, one for a term  
6 of four years, one for a term of five years, one for a term of six  
7 years, one for a term of seven years, one for a term of eight years,  
8 and one for a term of nine years. Any appointment to fill a vacancy  
9 shall be for the balance of the term only. Except as above  
10 designated, the term of office of said Regents shall be nine years  
11 or until their successors are appointed and qualified.

12 The Regents shall constitute a co-ordinating board of control  
13 for all State institutions described in Section 1 hereof, with the  
14 following specific powers: (1) it shall prescribe standards of  
15 higher education applicable to each institution; (2) it shall  
16 determine the functions and courses of study in each of the  
17 institutions to conform to the standards prescribed; (3) it shall  
18 grant degrees and other forms of academic recognition for completion  
19 of the prescribed courses in all of such institutions; (4) it shall  
20 recommend to the State Legislature the budget allocations to each  
21 institution, and; (5) it shall have the power to recommend to the  
22 Legislature proposed fees for all of such institutions, and any such  
23 fees shall be effective only within the limits prescribed by the  
24 Legislature.

1     The Legislature shall have the authority to construct policy for  
2     institutions that are overseen by the Oklahoma State Regents for  
3     Higher Education to protect students' First Amendment and Fourteenth  
4     Amendment rights.

5     SECTION 4. The Secretary of State shall refer to the people for  
6     their approval or rejection, as and in the manner provided by law,  
7     the following proposed amendment to Section 2 of Article XIIIIB of  
8     the Oklahoma Constitution to read as follows:

9     Section 2. The said Board of Regents of Oklahoma Colleges shall  
10    hereafter have the supervision, management and control of the  
11    following State Colleges: Central State College at Edmond; East  
12    Central State College at Ada; Southwestern Institute of Technology  
13    at Weatherford; Southeastern State College at Durant; Northwestern  
14    State College at Alva, and the Northeastern State College at  
15    Tahlequah, and the power to make rules and regulations governing  
16    each of said institutions shall hereafter be exercised by and is  
17    hereby vested in the Board of Regents of Oklahoma Colleges created  
18    by this Act, and said Board shall appoint or hire all necessary  
19    officers, supervisors, instructors, and employees for such  
20    institutions.

21    The Legislature shall have the authority to construct policy for  
22    institutions that are overseen by the Board of Regents of Oklahoma  
23    Colleges to protect students' First Amendment and Fourteenth  
24    Amendment rights.

SECTION 5. The Ballot Title for the proposed Constitutional amendments as set forth in SECTIONS 1 through 4 of this resolution shall be in the following form:

BALLOT TITLE

Legislative Referendum No. \_\_\_\_\_ State Question No. \_\_\_\_\_

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends Section 31a of Article 6, Section 8 of Article 13, Section 2 of Article 13A and Section 2 of Article 13B of the Oklahoma Constitution. It allows the Legislature to construct policy to protect the First Amendment and Fourteenth Amendment rights of students attending an institution of higher education.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL — YES \_\_\_\_\_

AGAINST THE PROPOSAL — NO \_\_\_\_\_

SECTION 6. The President Pro Tempore of the Senate shall, immediately after the passage of this resolution, prepare and file one copy thereof, including the Ballot Title set forth in SECTION 5 hereof, with the Secretary of State and one copy with the Attorney General.

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